

**STATEMENT OF ROBERT W. MCINTOSH, ASSOCIATE REGIONAL DIRECTOR FOR PLANNING AND PARTNERSHIPS, NORTHEAST REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, ON H.R. 1964, A BILL TO ASSIST THE STATES OF CONNECTICUT, NEW JERSEY, NEW YORK AND PENNSYLVANIA IN CONSERVING PRIORITY LANDS AND NATURAL RESOURCES IN THE HIGHLANDS REGION, AND FOR OTHER PURPOSES.**

**March 24, 2004**

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Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 1964, a bill to assist the States of Connecticut, New Jersey, New York and Pennsylvania in conserving priority lands and natural resources in the Highlands Region, and for other purposes.

The Highlands Region, comprising more than 2 million acres in one of the most urbanized sections of the country, contains numerous natural and cultural resources worthy of protection. It is a water supply source for over 11,000,000 persons, provides critical habitat to a wide variety of plant and animal species, and is the site of many historic events that have shaped our nation including significant actions related to the American Revolution. It is also an area rapidly experiencing the impacts of urbanization.

The Highlands Region also contains units of the National Park System including Morristown National Historical Park, Hopewell Furnace National Historic Site, and the Delaware Water Gap National Recreation Area; designated Wild and Scenic Rivers including the Upper Delaware and Farmington Rivers; and two designated national heritage areas – The Hudson River Valley National Heritage Area and the Delaware and Lehigh National Heritage Corridor. The National Park Service

has enjoyed long-standing partnerships with the States and many of the governments and organizations in this region.

The Department of the Interior (Department) looks forward to continuing this productive relationship with the U.S. Department of Agriculture, the four states, local governments, and many present and new partners in the Highlands Region as we, together, strive to protect natural, historic, and cultural resources. We believe, however, that the goals of the bill can be best achieved through existing public and private partnerships between the Federal government, the States, local jurisdictions and the private sector, without earmarking funds from the Land and Water Conservation Fund (LWCF) Act.

On June 17, 2003, the Department testified before the House Subcommittee on National Parks, Recreation, and Public Lands on H.R. 1964. During that testimony, the Department indicated that it would defer to the position of the USDA, who was the lead agency in H.R. 1964, as introduced. We also cited concerns about cost and identified a number of existing programs that could meet the needs of the Highlands Region. During markup, H.R. 1964 was amended in several ways, including designating the Department rather than the USDA as the lead agency. For these and other reasons discussed below, the Department does not support this bill. We continue to defer to the USDA regarding provisions of the bill affecting the Forest Service.

The Highlands Region has been the subject of many past studies described in the bill that document its important natural and cultural resources. In 1992, the Forest Service completed its initial study of a portion of the Highlands Region as described in the bill, which was authorized by the 1990 Farm

Bill. The study supported land stewardship and watershed-based planning activities, identified voluntary and non-regulatory means to protect important areas, fostered public awareness of the region's resources, and identified priority areas for protection. In 2000, under Representative Frelinghuysen's leadership, Congress recognized the need to revisit the study's findings and authorized an update in Public Law 106-291. The Forest Service completed the update in 2003 with the National Park Service providing comments on the draft report. The draft report is the product of extensive public participation across the Highlands Region, including involvement by members of the working group from over 120 municipalities, non-profit groups, private groups, and citizens in 12 counties as well as other Federal agencies and members of Congress.

Congress requested that at the conclusion of the update, the Secretaries of Agriculture and Interior report on how they will work together to implement the recommendations of the study. In the draft report, three recommendations are provided for a continued Federal role in the Highlands Region including supporting the stewardship of the Highlands Region, ensuring the availability of science-based information, and partnering in local land stewardship activities. This report is currently pending interagency review.

As we mentioned in our previous testimony, we see many opportunities for participation in the Highlands Region through existing programs of the Department. Projects within the region may qualify for Rivers, Trails and Conservation Assistance and Wild and Scenic Rivers assistance, and the LWCF, among others. Through our Rivers, Trails and Conservation Assistance Program, we are working with local groups along the Delaware and Hudson Canal to create a 220-mile network of trails (including water trails), scenic railroads, and scenic byways.

H.R. 1964 would authorize appropriations of \$100 million from the LWCF, or from the general funds of the Treasury, over 10 years beginning in FY 2005. We believe that financial assistance to the region should continue through existing authorities of the Department. For example, the Department has made LWCF grants available to the four States totaling over \$46.6 million between 2000 and 2003. Through the LWCF program, Rockaway Township in the Highlands Region in the State of New Jersey recently acquired 294 acres of land adjacent to the Wildcat Ridge Wildlife Management Area for trails, low impact recreation, and to protect open space inhabited by endangered species including the threatened Bald Eagle.

We have consistently opposed earmarking the state grant portion of LWCF because it circumvents state authority for determining its own priorities for use of fund monies through the comprehensive statewide outdoor recreation planning process. It potentially affects the amounts available to the other states that rely on this program. Significant protection can be accomplished through grants to the states as they choose to prioritize acquisitions and projects in the Highlands Region under the current provisions of Section 6 of the LWCF Act. We also would have concerns if the funds for this bill came from the general funds of the Treasury because we are trying to focus our resources on taking care of our current responsibilities in our national parks.

This concludes my testimony. I would be pleased to answer any questions the Committee may have this bill.